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10 UNITED STATES MAGISTRATE COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 JOSE EFRAIN GONZALEZ)
17 Defendant.)

No. CR 12-560 JW

STIPULATION REGARDING SPEEDY
TRIAL ACT AND ~~PROPOSED~~ ORDER

18
19 On July 30, 2012, defendant Jose Efrain GONZALEZ appeared before the Court for
20 arraignment on the First Superseding Indictment and for detention hearing. Partial discovery was
21 provided to the defendant, and the Government anticipates providing the remaining discovery by
22 Friday, August 3, 2012. The Court set an initial appearance date of September 24, 2012, before
23 the Honorable James Ware for a status conference. Defense counsel will need this time to review
24 discovery and determine how to effectively defend the case.

25 With the agreement of the parties, and with the consent of the defendant, the Court enters
26 this order documenting the exclusion of time under the Speedy Trial Act from July 30, 2012,
27 through September 24, 2012, for effective preparation of defense counsel, under 18 U.S.C.
28 § 3161(h)(7)(A), (h)(7)(B)(iv).

1 The parties agree, and the Court finds and holds, as follows:

2 1. The defendant agrees to the exclusions of time under the Speedy Trial Act from July
3 30, 2012, through September 24, 2012, based upon the need for effective preparation of defense
4 counsel.

5 2. Counsel for the defendant believes that the exclusion of time is in her client's best
6 interest.

7 3. Given these circumstances, the Court finds that the ends of justice served by excluding
8 the period from July 30, 2012, through September 24, 2012, outweigh the best interest of the
9 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 4. Accordingly, and with the consent of the defendant, the Court orders that (1) the
11 defendant shall appear before the Honorable James Ware on September 24, 2012 at 1:30 p.m. for
12 an initial appearance; (2) the period from July 30, 2012, through September 24, 2012, shall be
13 excluded from Speedy Trial Act calculations under 18 U.S.C. §3161 (h)(7)(A), (h)(7)(B)(iv).

14
15 STIPULATED:

16
17 DATED: July 31, 2012

/s/
SUSAN CUSHMAN
Assistant United States Attorney

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19 DATED: July 31, 2012

/s/
KRYSTAL DENLEY BOWEN
Attorney for Defendant Jose Efrain Gonzalez

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21 IT IS SO ORDERED:

22 DATED: August 1, 2012



MARIA ELENA JAMES
United States Magistrate Judge